IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ELEANOR SCHULER,

     Plaintiff,

vs.   CIVIL NO. 09-1025 JH/LFG

CLAUDE K. LEE, KATHERINE
BURR, PATRICIA E. LANDIS,
DANIEL S. BAILET, AMERICAN
TRI-STAR, INC. and NEUROSIGNAL
TECHNOLOGIES, INC.,

     Defendants.

NEUROSIGNAL TECHNOLOGIES, INC.,

     Third-Party Plaintiff,

vs.

NEUROX CORPORATION, NEURO-
SIGNALING FOUNDATION,

     Third-Party Defendants.

NEUROSIGNAL TECHNOLOGIES, INC.,
CLAUDE K. LEE, KATHERINE BURR,
PATRICIA E. LANDIS, DANIEL S.
BAILET and AMERICAN TRI-STAR, INC.,

     Counter Claimants,

vs.

ELEANOR SCHULER,

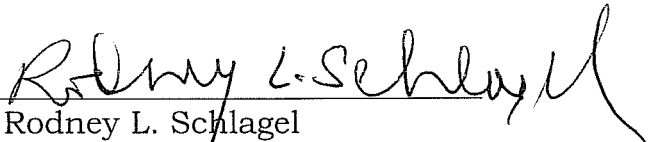   Counter Defendant.

JOINT MOTION TO DISMISS

COME NOW the Defendants/Counter Claimants, Claude K. Lee,

Katherine Burr, Patricia E. Landis, Daniel S. Bailet and American Tri-Star, Inc. and Defendant/Counter Claimant/Third-Party Plaintiff, Neurosignal Technologies, Inc., by and through their attorneys of record, Butt, Thornton & Baehr, P.C., and the Plaintiff/Counter Defendant, Eleanor Schuler, and the Third-Party Defendants, Neurox Corporation and Neurosignaling Foundation, by and through their attorneys of record, Ortiz and Lopez, PLLC, and pursuant to Fed.R.Civ.P. 41(a), move the Court for an Order dismissing all claims of the Plaintiff/Counter Defendant, Eleanor Schuler, against the Defendants/Counter Claimants, Claude K. Lee, Katherine Burr, Patricia E. Landis, Daniel S. Bailet and American Tri-Star, Inc., and Defendant/Counter Claimant/Third-Party Plaintiff, Neurosignal Technologies, with prejudice, dismissing all claims of the Defendants/Counter Claimants, Claude K. Lee, Katherine Burr, Patricia E. Landis, Daniel S. Bailet and American Tri-Star, Inc. and Defendant/Counter Claimant/Third-Party Plaintiff, Neurosignal Technologies, Inc., against the Plaintiff/Counter Defendant, Eleanor Schuler, with prejudice, and dismissing all claims of the Defendant/Counter Claimant/Third-Party Plaintiff, Neurosignal Technologies, Inc., against the Third-Party Defendants, Neurox Corporation and Neurosignaling Foundation, with prejudice. As grounds for the Motion, the parties state that all matters between them have been resolved.

WHEREFORE, the Defendants/Counter Claimants, Claude K. Lee, Katherine Burr, Patricia E. Landis, Daniel S. Bailet and American Tri-Star, Inc.

and Defendant/Counter Claimant/Third-Party Plaintiff, Neurosignal Technologies, Inc., and the Plaintiff/Counter Defendant, Eleanor Schuler, and the Third-Party Defendants, Neurox Corporation and Neurosignaling Foundation, respectfully request that the Court enter an Order dismissing all claims of the Plaintiff/Counter Defendant, Eleanor Schuler, alleged or which might have been alleged against the Defendants/Counter Claimants, Claude K. Lee, Katherine Burr, Patricia E. Landis, Daniel S. Bailet, and American Tri-Star, Inc., and Defendant/Counter Claimant/Third-Party Plaintiff, Neurosignal Technologies, Inc., with prejudice, dismissing all claims of the Defendants/Counter Claimants, Claude K. Lee, Katherine Burr, Patricia E. Landis, Daniel S. Bailet, and American Tri-Star, Inc., and Defendant/Counter Claimant/Third-Party Plaintiff, alleged or which might have been alleged against the Plaintiff/Counter Defendant, Eleanor Schuler, with prejudice, and dismissing all claims of the Defendant/Counter Claimant/Third-Party Plaintiff, Neurosignal Technologies, Inc., alleged or which might have been alleged against the Third-Party Defendants, Neurox Corporation and Neurosignaling Foundation, with prejudice.

BUTT, THORNTON & BAEHR, P.C.

By _____
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    Attorneys for Defendants/Counter
    Claimants, Claude K. Lee, Katherine
    Burr, Patricia E. Landis, Daniel S.
    Bailet and American Tri-Star, Inc., and
    Defendant/Counter   Claimant/Third-
    Party   Plaintiff,   Neurosignal
    Technologies, Inc.
    P.O. Box 3170
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      Telephone: (505) 884-0777

ORTIZ AND LOPEZ, PLLC

By _____
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    Third-Party Defendants, Neurox
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